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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/631,190	07/31/2003	Eric Miller	2331(16354)	2192

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SPRINT COMMUNICATIONS COMPANY L.P.  
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OVERLAND PARK, KS 66251-2100

EXAMINER
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CHAWAN, VIJAY B

ART UNIT	PAPER NUMBER
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2626

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/16/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

## Office Action Summary

Application No.

10/631,190

Applicant(s)

MILLER, ERIC

Examiner

Vijay B. Chawan

Art Unit

2626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |

## **DETAILED ACTION**

### ***Claim Objections***

1. Claim 17 is objected to because of the following informalities: Claim 17, line 2, word missing between "from an" "to a registered user". Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-33 are rejected under 35 U.S.C. 102(b) as being anticipated by Freishtat et al., (5,945,989).

As per claim 1, Freishtat et al., teach a method of providing text-to-speech streaming data using a distributed network based message processing system, said system including a user access server for controlling access of registered users to said system, an internetwork data retrieval server for retrieving raw data from an internetwork, a text-to-speech server for converting said raw data to an audible speech data, and a memory storage output device for storing a streaming media file containing

audible speech data, a streaming media server for transmitting said audible speech data to said registered users via said internetwork, the method comprising the steps of:

authenticating a registered user (Col.6, lines 28-31, Fig.4, Col.6, line 62 – Col.7, line 4);

retrieving said raw data from said internetwork (Col.6, lines 28-61);

parsing said raw data for text passages (Col.20, lines 9-18);

converting said text passages to said audible speech data (Col.20, lines 9-18);

converting said audible speech data to said streaming media file (Col.12, lines 56-58);

storing said streaming media file in a memory storage output device (Fig.11);

outputting a streaming media file to said registered user (Fig.11).

As per claim 2, Freishtat et al., teach the method of claim 1, wherein said user access server includes a new user registration module for registering and allowing access for said new user to said system (Fig.6).

As per claim 3, Freishtat et al., teach the method of claim 1, further comprising the step of registering a new user and allowing access for said new user to said system (Fig.6).

As per claim 4, Freishtat et al., teach the method of claim 1, further comprising the step of de-registering a registered user form said system (Fig.7).

As per claim 5, Freishtat et al., teach the method of claim 1, wherein accessing said registered user includes customizing a user profile database containing user preferences (Fig.6).

As per claim 6, Freishtat et al., teach the method of claim 5, wherein said raw data is retrieved from said internetwork in response to said user preferences (Fig.7).

As per claim 7, Freishtat et al., teach the method of claim 1, wherein said registered user manually identifies a specific file or data block of said internetwork from which said raw data is retrieved from (Col.6, lines 28-61).

As per claim 8, Freishtat et al., teach the method of claim 1, wherein said system includes a LAN for linking said servers on said system (Col.6, lines 28-61).

As per claim 9, Freishtat et al., teach the method of claim 1, wherein said retrieving step includes a plurality of data retrieval modules, and wherein each data retrieval module retrieves a specific type of said raw data (Col.6, lines 28-61).

As per claim 10, Freishtat et al., teach the method of claim 1, wherein said retrieving step includes transmitting a new data message to said text-to-speech server after said retrieving step (Col.19, line 42 – Col.20, line 23).

As per claim 11, Freishtat et al., teach the method of claim 1, further comprising the step of compressing said media file using a media encoder (Fig.11, Col.19, line 42 – Col.20, line 23).

As per claim 12, Freishtat et al., teach the method of claim 1, further comprising the steps of extracting meta-data from said parsed raw data and transmitting it with said streaming media file (Fig.11, Col.19, line 42 – Col.20, line 23).

As per claim 13, Freishtat et al., teach the method of claim 12, wherein said meta-data is embedded in said streaming media file (Fig.11, Col.19, line 42 – Col.20, line 23).

As per claim 14, Freishtat et al., teach the method of claim 12, wherein said meta-data includes non-text attachments (Fig.11, Col.19, line 42 – Col.20, line 23).

As per claim 15, Freishtat et al., teach the method of claim 12, wherein said meta-data includes header information and email messages (Fig.11, Col.19, line 42 – Col.20, line 23).

As per claim 16, Freishtat et al., teach the method of claim 1, further comprising the step of transmitting a new streaming file message to said registered user that said streaming media file is available in said output device (Fig.11, Col.19, line 42 – Col.20, line 23).

As per claim 17, Freishtat et al., teach a distributed network based message processing system for providing text-to-speech streaming data from an internetwork to a registered user on system, said system comprising:

- a user access server for authenticating said registered user and for allowing access to said system (Col.6, lines 28-31, Fig.4, Col.6, line 62 – Col.7, line 4);

- an internetwork data retrieval server linked to said user access server for retrieving of raw data within said internetwork (Col.6, lines 28-61);

- a text-to-speech server linked to said retrieval system server for parsing said raw data, converting said parsed raw data to audible speech data, and for converting said audible speech data to a streaming media file (Col.20, lines 9-18, Col.12, lines 56-58, Fig.11 );

- a memory storage output device linked to said text-to-speech server for storing a streaming media file (Col.20, lines 9-18, Col.12, lines 56-58, Fig.11); and,

a streaming media server linked to said memory storage output device for transmitting a streaming audio output of said streaming media file to said registered user (Col.20, lines 9-18, Col.12, lines 56-58, Fig.11).

As per claim 18, Freishtat et al., teach the data retrieval system of claim 17, wherein said memory storage output device is located within said streaming media server (Figs., 16, 6 and 7).

As per claim 19, Freishtat et al., teach the data retrieval system of claim 17, further comprising a LAN line for linking with the servers (Figs., 16, 6 and 7).

As per claim 20, Freishtat et al., teach the data retrieval system of claim 17, wherein said servers reside within a common hardware device (Figs., 16, 6 and 7).

As per claim 21, Freishtat et al., teach the data retrieval system of claim 17, wherein said user access server includes a new user registration module for registering and allowing access for said new user to said system (Figs. 6 and 7).

As per claim 22, Freishtat et al., teach the data retrieval system of claim 17, wherein user access server includes a user de-registration module for removing said registered user from said system (Figs. 6 and 7).

As per claim 23, Freishtat et al., teach the data retrieval system of claim 17, wherein said user includes a user profile database storing respective user preferences (Figs. 6 and 7).

As per claim 24, Freishtat et al., teach the data retrieval system of claim 23, wherein said user preferences includes access information to an at least one media

service available through a service provider coupled to said internetwork (Figs.6, 7 and 11).

As per claim 25, Freishtat et al., teach the data retrieval system of claim 17, wherein said user preferences included identifiers indicating said raw data for retrieving (Figs.6, 7 and 11).

As per claim 26, Freishtat et al., teach the data retrieval system of claim 17, wherein said registered user manually identifies a specific file or data block of said internetwork from which said raw data is retrieved from (Figs.6, 7 and 11).

As per claim 27, Freishtat et al., teach the data retrieval system of claim 17, wherein said text-to-speech server parses said raw data for portions containing text and converts said text to said audible speech data (Fig.11, Col.19, line 42 – Col.20, line 23).

As per claim 28, Freishtat et al., teach the data retrieval system of claim 27, wherein said text-to-speech server includes a media encoder for compressing said audible speech data (Fig.11, Col.19, line 42 – Col.20, line 23).

As per claim 29, Freishtat et al., teach the data retrieval system of claim 28, wherein text-to-speech server converts said compressed audible speech data to a streaming media file (Fig.11, Col.19, line 42 – Col.20, line 23).

As per claim 30, Freishtat et al., teach the data retrieval system of claim 17, wherein said streaming media file includes a meta-data extracted from said raw data (Fig.11, Col.19, line 42 – Col.20, line 23).



As per claim 31, Freishtat et al., teach the data retrieval system of claim 30, wherein said meta-data includes non-text file attachments (Fig.11, Col.19, line 42 – Col.20, line 23).

As per claim 32, Freishtat et al., teach the data retrieval system of claim 31, wherein said new data comprises an email message and wherein said meta-data includes header information from said email message (Fig.11, Col.19, line 42 – Col.20, line 23).

As per claim 33, Freishtat et al., teach the data retrieval system of claim 32, wherein said memory storage output device provides said streaming media file to said registered user (Fig.11, Col.19, line 42 – Col.20, line 23).

### ***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Jong (6,173,250) teaches an apparatus and method for speech-text-transmit communications over data network.

Castello da Costa et al., (6,230,130) teach scalable streaming for speech.

Jones (6,175,822) teach a method and system for providing network based transcription services.

Cooper et al., (6,466,654) teaches personal assistant with semantic tagging.

Coffman et al., (7,137,126) teach conversational computing via conversational virtual machine.

Coffman et al., (6,757,362) teach a personal virtual assistant.

Marko et al., (US 2004/0049389) teach a method and apparatus for streaming text to speech in a radio communication system.

Zondervan et al., (US 2002/0059073) teach voice applications and voice based interface.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vijay B. Chawan whose telephone number is (571) 272-7601. The examiner can normally be reached on Monday Through Friday 6:30-3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on (571) 272-7602. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Vijay B. Chawan  
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vbc  
3/13/07